THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 1318 of 2005

Dated: 09-08-2005

Between:

The Valluru Primary AGricultural Credit Co-operative Society LTd., Regd No. 2806, Rep by Secrtary B. SivannarayanaS/o Rama Rao Valluru, West Godavari district

..... APPELLANT

AND

1 Manda Krupadanam S/o Narasayya Ex. Secretary of Valluru PACS, WEst Godavari District and others.

.....RESPONDENTS

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

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JUDGMENT: (Per the Hon'ble Smt Justice T.Meena Kumari)

Challenge in this appeal is as to the correctness of the order rendered by a learned single Judge of this Court dated 16.06.2005 in W.P.M.P.No.16161 of 2005 in W.P.No.12722 of 2005.

02. Questioning the order of the 2nd respondent dated 20.12.2001, which was confirmed by the 3rd respondent vide order dated 30.03.2005 in ordering reinstatement of the 1st respondent with 40% back wages, the writ petition has been preferred by the appellant.

03. While admitting the writ petition on 16.06.2005, interim stay of back wages on condition of reinstatement was ordered by the learned single Judge. Aggrieved by the same, the present writ appeal has been filed by the appellant-Society.

04. Contextual facts depict that the writ appeal is an outcome of an interim order that has been passed in W.P.M.P only. Therefore, any findings given at this stage of interlocutory proceedings may touch the very merits of the writ petition.

05. Hence, without expressing any opinion on the merits of the case, we deem it appropriate to post the writ petition for final hearing. The order impugned needs no interference. Therefore, the writ appeal is liable to be dismissed.

06. The writ appeal is dismissed accordingly. However, the Registry is directed to post the writ petition for final hearing after Dasara Vacation, 2005.

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T.MEENA KUMARI, J

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P.LAKSHMANA REDDY, J

09.08.2005

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